THE HON'BLE SRI G.S.SINGHVI, THE CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE BILAL NAZKI

WRIT APPEAL No. 2335 of 2005

29-11-2005

Between:

M.Bhaskar Reddy.

..... APPELLANT

AND

The Chief Commissioner of Land Administration, Government of Andhra Pradesh & Another.

.....RESPONDENTS

THE HON'BLE SRI G.S.SINGHVI, THE CHIEF JUSTICE

AND

THE HON'BLE SRI JUSTICE BILAL NAZKI

WRIT APPEAL No. 2335 of 2005

JUDGMENT: (Per Hon'ble Sri Bilal Nazki, J)

This appeal has been filed against an order passed by the learned Single Judge in writ petition No.24641 of 2005.

The appellant/petitioner claimed that his family owned an extent of land in Survey Nos.220 and 221, measuring about 20 Acres at Kapra Village of Keesara Mandal, Ranga Reddy District. The land was acquired by the Nuclear Fuel Complex (for short 'NFC') about four Decades ago and the appellant/petitioner had received compensation for the land. Even a reference was made to the Civil Court under Section 18 of the Land Acquisition Act, 1894 and the compensation was enhanced and it was also received by the appellant/petitioner. The grievance of the petitioner is that one Smt.M.Shyamala and sons occupied a part of the land belonging to NFC, which was not utilized by NFC, therefore, this land should be restored to the petitioner.

It is a settled law, as found by the learned Single Judge, that once the land was acquired by the State, even if it was not utilized by the State, the erstwhile owner has no right over the said property. The land belongs to NFC, as it has been acquired by them and the petitioner has received the compensation for the land. If the land belonging to NFC has been encroached upon by any one else, that is for NFC to take appropriate steps to get back the land. In any case, the appellant/petitioner has no claim over the land.

In this view of the matter, we do not find any ground to interfere in the order passed by the learned Single Judge. Appeal is accordingly dismissed. No order as to costs.

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(G.S.SINGHVI, HCJ)

29th November 2005

_____ (BILAL NAZKI, J)

ajr